

### REMARKS

Claims 25-35 are presented for examination in this application. Claims 1-24 are canceled without prejudice, as non-elected.

The above amendments are minor matters of typing and grammar, with no change in meaning.

At page 2 of the Office Action, Claims 26, 29-30 and 34-35 have been rejected under 35 U.S.C. 102(b) as being anticipated by Takami et al.<sup>1</sup>

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Applicants respectfully traverse the anticipation rejection.

Applicants' claims recite "a center-line-average roughness of 0.5  $\mu\text{m}$  - 2.0  $\mu\text{m}$  on the peripheral surface." (Applicants' claim 25; see also claim 26.)

Takami discloses center line "average roughness" to be "0.2  $\mu\text{m}$  or less." (Col. 5, line 62.) Applicants' claimed invention is distinguished from Takami for at least the reason that the claimed range of 0.5  $\mu\text{m}$  and 2.0  $\mu\text{m}$  for average roughness lacks overlap with Takami's disclosed range of 0.2  $\mu\text{m}$ . Takami merely teaches smoothing the surface as much as possible, and that the surface is smooth at 0.2  $\mu\text{m}$ . That is, Takami teaches applying "a solid transparent coating ... to the rough surface directly resulting from cutting or grinding, so as to fill the irregularities and thus to obtain the smooth surface as desired". (Col. 2, lines 41-43; col. 9, claim 1, ~lines 32-37 and 54-58.)

The disclosed roughness in Takami is clearly outside of Applicants' claimed range. The difference in treatment is evident, between roughening (in Applicants' present claims) and smoothing (in Takami).

Takami's Figures 5 and 9, cited by the Examiner, do not disclose Applicants' present invention. In Takami Figure 5, surface 20 is an inner surface that, during production, as a starting material had "fine irregularities" (Takami, col. 4, lines 25-26.) However, surface 20 in Takami's Figure 5 during production was fully covered by coating 9. As Takami states at col. 4, lines 34+, "a coating 9 of solid transparent material is applied to the surface 20 with irregularities at least enough thickness to fill the irregularities." The same comment applies to

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<sup>1</sup>As to claims 26, 29 and 30, the Examiner cites col. 5, lines 56-62; Figs. 5 and 9. As to claim 34, the Examiner also cites col. 9, lines 48-53. As to claim 35, the Examiner also cites col. 3, lines 33-40 and col. 5, lines 44-45.

Takami's Figure 9 relied upon by the Examiner, namely, that surface 20 during production is completely covered by coating 9, to give a smooth surface.

Takami teaches the opposite of Applicants' present invention. Takami requires the surface must be smoothed to 0.2  $\mu\text{m}$  or less to be useable in Takami's optical part. Takami fails to teach or disclose "a center-line-average roughness of 0.5  $\mu\text{m}$  - 2.0  $\mu\text{m}$  on the peripheral surface" in a rod lens array.

Accordingly, reconsideration and withdrawal of the anticipation rejection are respectfully requested.

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At page 3 of the Office Action, Claims 25, 27 and 31-33 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Takami et al. As to Claims 25, 31, and 32, the Examiner admits that Takami "does not specifically disclose that the center-line average roughness of at least one rod lens, or each rod lens, fall within the claimed range." (Office Action, pages 3-4.)

At page 5 of the Office Action, Claim 28 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Takami et al., in view of McDaniel. The Examiner cites col. 10, line 63 to col. 11, line 21, and Fig. 6, of McDaniel.

Applicants respectfully traverse the obviousness rejections.

Takami fails to disclose the center line roughness as recited in Applicants' claims.

In Applicants' present invention, the peripheral surface is roughened rather than smoothed. Applicants' claimed range of the surface roughness is rough so as not to have serious negative effects of stray light. As set forth at page 39 of Applicants' specification, at least 0.5  $\mu\text{m}$  of the center-line-average roughness of the peripheral surface is necessary to prevent the effect of the stray light.

The Examiner's assumption that "it would have been obvious to a person of ordinary skill in the art ... to have the average roughness of the rod lenses of Takami et al fall within the claimed range since Takami discloses a maximum roughness ranging between 0.5  $\mu\text{m}$  to 5.0  $\mu\text{m}$ ...." is incorrect. The Examiner (Final Office Action, page 3) cites only lines 32-37 of Takami, col. 9, claim 1, and has not taken into account col. 9, lines 54-60, which are also part of claim 1. Those lines 54+ of col. 9 provide: "a light-transmitting, solid coating applied on

said ... end surfaces of said rod lens array ... such that said rough first and second end surfaces are filled with said coating and said outwardly projecting surfaces are uniformly smooth without requiring polishing or grinding”.

Nor does the secondary reference, McDaniel, provide any teaching or disclosure that would cause a person of ordinary skill in the art to ignore the plain teaching of Takami or to modify Takami in a manner contrary to Takami's basic teaching of smoothing.

~~In view of the above, reconsideration and withdrawal of the obviousness~~  
rejections are respectfully requested.

In view of the foregoing, it is respectfully requested that the application be reconsidered, that claims 25-35 be allowed, and that the application be passed to issue.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephone or personal interview.

A provisional petition is hereby made for any extension of time necessary for the continued pendency during the life of this application. Please charge any fees for such provisional petition and any deficiencies in fees and credit any overpayment of fees to Attorney's Deposit Account No. 50-2041 (Whitham, Curtis & Christofferson, P.C.).

Respectfully submitted,



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